

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Attorney Docket No. 101
Burkhalter, Swinton B.)	
)	
Application No.: 09/775,336)	
)	
Filed: February 1, 2001)	
)	
For: INSURANCE SYSTEM AND)	
METHOD WITH)	
DISPROPORTIONAL)	
ALLOCATION)	
)	
Examiner: Cobanoglu, Dilek B.)	
)	
Art Unit: 3626)	
)	
Confirmation No.: 9210)	

REMARKS

Claims 1-16 have been cancelled and new claims 17-36 have been added so that only claims 17-36 are now in the application.

In the last Office Action, claims 1, 3-9 and 11-16 were rejected under 35 U.S.C. 103 as being unpatentable over Libman (U.S. 5,987,434) in view of Gamble et al. (U.S. 6,163,770), and claims 2 and 10 were rejected over Libman and Gamble et al. in view of Sexton et al. (U.S. 5,752,236).

Briefly, Libman discloses a sales system for automatically selecting and presenting existing and unchanging financial and insurance products to a large number of prospective clients. There is no teaching or suggestion to construct new policies as part of the system, nor to favor one owner of related policies over another owner. Gamble et al. discloses an insurance system in which two or more "concurrent" coverages are offered to the same person and where these concurrent coverages inherently result in a reduction in claims made against the insurance

company under one policy when a claim is made under the concurrent policy. Hence, a discount in premiums is possible. There is no teaching or suggestion to construct new policies as part of the system, nor to favor a first owner of one of the concurrent policies over a second owner of another of the concurrent policies. Sexton et al. discloses related insurance contracts but relates solely to life insurance. There is no teaching or suggestion of a system combining life and non-life insurance policies.

In the last Office Action, Examiner Cobanoglu stated that arguments made in the earlier amendment were not expressed as limitations in the claims. One of these was that the allocation of premiums favors one owner of one of the related policies over another owner of the other related policy. Another argument that the Examiner stated was not found in the claim limitations was that a new insurance product was formed during the inventive process. These concepts have now been incorporated into new claims 17-36, of which claims 17 and 28 are independent.

New claim 17 includes the following limitations which are not found in any of the cited prior art:

“inputting life insurance information into the data processing system;

inputting non-life insurance information into the data processing system, the information being from among the following coverages: disability insurance, long term care insurance, critical illness insurance, accidental death insurance, health insurance, major medical insurance, immediate annuities, deferred annuities, property insurance, casualty insurance and multi-risk insurance;

thereafter constructing from the . . . information two related insurance policies, one of the two policies being a life insurance policy and the other of the two related policies being a non-life insurance policy, each of the two related policies having a premium obligation based on expenses and profits which together results in a total premium obligation, a total expense and a total profit wherein the total expense is allocated more heavily to an owner of the non life insurance policy so as to favor an owner of the life insurance policy;

thereafter qualifying the life insurance policy and the non-life insurance policy with the governmental regulatory requirements. . . .”

New claim 28 is an insurance system comprising:

“life insurance coverage information and non-life insurance coverage information inputted into the data processing system, wherein the non-life insurance coverage information includes information about one or more of the following: disability insurance, long term care insurance, critical illness insurance, accidental death insurance, health insurance, major medical insurance, immediate annuities, deferred annuities, property insurance, casualty insurance and multi-risk insurance;

instructions inputted into the data processing system enabling the data processing system to construct from the life insurance coverage information and the non-life insurance coverage information two related policies, one of the policies being a life insurance policy and the other of the two related policies being a non-life insurance policy, each of the two related policies having a premium obligation, an expense and a profit combining to form a total premium obligation, a total expense and a total profit wherein the total expense is allocated more heavily to an owner of the non-life insurance policy so as to favor an owner of the life insurance policy;

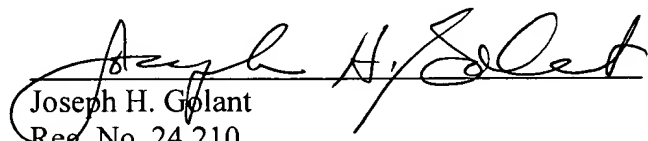
compliance instructions inputted into the data processing system to enable the data processing system to qualify the life insurance policy and the non-life insurance policy with governmental regulatory requirements. . . .”

It is noted that the Sexton disclosure has been public since 1996, the Libman disclosure since 1997 and the Gamble disclosure since 2000 and yet no one has developed an insurance plan like that disclosed here by applicants.

In view of the new claims with the new limitations, and the comments made above, the Examiner is respectfully requested to consider claims 17-33 and indicate allowance.

Dated: November 7, 2006

Respectfully submitted,


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